IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No.11688 of 1998

Between:

B. ABEDNEGO, S/o. Ganga Raju
R/o. 41-552, Papireddy Nagar,
I D P L Colony, Hyderabad 500 037.

..... PETITIONER

AND

1 The Managing Director, A P S R T C,
Musheerabad, Hyderabad.
2 The Depot Manager, A P S R T C,
Kukatpally Depot.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of the respondents in dispensing with the services of the petitioner on 03-09-1986 without any valid notice and not appointing him as Cleaner when a Junior and who has less period of service was appointed as wholly illegal and void and consequently direct the respondents to appoint the petitioner as Cleaner or any other appropriate post in any Depot of the A P S R T C and pass such Order or other Orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: Mr. SAI GANGADHAR CHAMARTY

Counsel for the Respondents: Mr. V.T.M. PRASAD

The Court made the following :

ORAL ORDER:

The learned counsel for the petitioner rightly contends that the petitioner that has an effective and efficacious alternative remedy of approaching the Labour Court and filing a claim petition under Section 2-A(2) of the Industrial Disputes Act,1947. He, therefore, requests that the petitioner may be permitted to withdraw the writ petition to enable him to approach the Labour Court to work out his remedies.

Permission is granted.

The Writ Petition is, therefore, dismissed as withdrawn with liberty to the petitioner to approach the Labour Court to work out his remedies as available under law. No order as to costs.

10-6-2005

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director, A P S R T C,
Musheerabad, Hyderabad.
2 The Depot Manager, A P S R T C,
Kukatpally Depot.

3 2 CD copies